

Frederick County Ethics Commission
Minutes for the Public Meeting of Wednesday, March 14, 2018

Present: Stephen K. Hess, Chair
Timothy J. Tosten, Vice Chair
Christopher D. Glass, Sr., Commission Member
Ernest A. Heller, Commission Member
Deborah L. Lundahl, Commission Member
Alan Shapiro, Commission Member
Deidre R. Davidson, Alternate Commission Member
Linda B. Thall, Senior Assistant County Attorney

Absent: M. Shane Canfield, Commission Member

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on March 14, 2018, in the Winchester Hall 3rd floor meeting room, 12 East Church Street, Frederick, Maryland 21701.

Approval of minutes – The draft minutes from the February 14, 2018 meeting were emailed to the members before the meeting.

MOTION: Mr. Heller made a motion to approve the minutes as drafted. The motion was seconded by Mr. Glass and the motion was approved by Mr. Hess, Mr. Glass, Mr. Heller and Mr. Shapiro. Mr. Tosten and Ms. Lundahl abstained, as they were not able to attend the March meeting. Ms. Davidson was not present at the time of the vote.

Training plan – Mr. John O’Keefe provided a presentation on a learning management system (LMS) that he developed for ethics training in the private sector. Mr. O’Keefe has a background in corporate training and has developed and presented training programs in the past. One of the key elements in developing a training program is identifying the target audience so that decisions can be made as to how the recipients will receive the training. Restrictions such as lack of access to the internet should be taken into consideration. As all County employees do not currently have access to a computer at work, other delivery options such as printed training materials and live training may need to be made available. Mr. Glass noted that it is important to identify the subjects on which training is needed. Mr. O’Keefe observed that the three to five most important points to have the audience learn from the training should be identified early as part of the training development process. There was a discussion of the topics that need to be included in the proposal to the County Executive. Mr. Tosten asked about the cost for a LMS. Mr. O’Keefe indicated that a LMS could cost \$40,000, but that the price would vary. Variables that would have an impact on the cost were discussed. Mr. O’Keefe noted that some LMS products can be obtained at a lower cost, but more work by the County would be needed. The software that Mr. O’Keefe used to develop a training program for a group of 500 to 600 persons was skillsoft. Depending on the resources available, it could take over one year to complete the development of the training

program. In the event that the County wanted to use the LMS for purposes beyond ethics training, the County would gain additional value for the initial amount paid. Shared file access could help make the training more accessible for employees with hearing or vision problems.

Mr. O’Keefe also talked about the process the County should follow if a training plan is implemented. Employees should receive advance notice on multiple occasions that a training program will be available and required, the timing should be announced ahead of time and deadlines should be communicated. During the training window, there will be a need to monitor how many employees have completed the training and follow up reminders should be sent to employees who have not completed their training. Mr. Hess recommended that there be a standard for the ethics training, which could then be delivered through different methods depending on the audience.

Mr. Hess asked the Commission members to think about the following issues he raised in an email message sent before the meeting: (1) the frequency of the training, (2) whether training should be given to all employees or only to select groups, (3) the delivery method(s) for the training, (4) what type of documentation should be required to show that training was completed and (5) printing and distribution of the Ethics brochure. These items will be discussed at the April meeting so that the Commission can start drafting a proposal for the County Executive.

Discussion of Ethics Law brochure – Mr. Tosten requested a few additional changes to the wording of the brochure. Mr. Shapiro noted that the Commission had already voted to approve the language in the brochure prior to the meeting and he disagreed with some of the proposed changes. The Commission discussed the proposed changes and Mr. Shapiro recommended changes to the language in the brochure as a compromise. Ms. Davidson made additional edits to the brochure.

Discussion of legislative proposals – Mr. Glass raised the subject of an amendment to the provision in the Ethics Law that restricts the County’s ability to enter into contracts with elected officials, qualified relatives of elected officials and business entities with which they are affiliated or have a direct financial interest. After discussion, the Commission decided not to recommend a change to the law.

Adjournment

MOTION: Mr. Heller made a motion to adjourn the meeting. The motion was seconded by Mr. Tosten and approved unanimously.

The Ethics Commission adjourned its meeting at 8:31 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney